

FILED: 07/21/2011

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-4871 (L)
(5:07-cr-00050-RLV-4)

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TENORIO DECHAS DAYE, a/k/a Chaz,

Defendant - Appellant.

No. 10-4100
(5:07-cr-00050-RLV-4)

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARCO FENNEL DAYE,

Defendant - Appellant.

O R D E R

Tenorio Dechas and Marco Fennel Dayle seek to appeal their convictions and sentences. The Government has moved to

dismiss their appeals as barred by the Dayes' respective waivers of their right to appeal included in their plea agreement. Upon review of the plea agreement and the transcript of the Fed. R. Crim. P. 11 hearing, we conclude that the Dayes knowingly and voluntarily waived their rights to appeal and that the issues the Dayes seek to raise on appeal fall squarely within the compass of their waivers of appellate rights. Accordingly, we grant the Government's motion to dismiss.

Entered at the direction of Judge Niemeyer, with the concurrence of Judge Gregory and Senior Judge Hamilton.

For the Court

/s/ Patricia S. Connor, Clerk